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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,139	10/09/2003	Ryoichi Yoshida	086142-0561	8592
22428	7590	07/09/2004	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			HARRIS, STEPHANIE N	
			ART UNIT	PAPER NUMBER
			3636	

DATE MAILED: 07/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/681,139

Applicant(s)

YOSHIDA ET AL.

Examiner

Stephanie Harris

Art Unit

3636

NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,5,8,9,12-14,18,21 and 22 is/are rejected.
- 7) ☒ Claim(s) 2-4,6,7,10,11,15-17,19 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/9/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 8, 9, 12, 13, 14, 18, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Koledin (USPN 5839789).

Regarding claim 1, Koledin discloses a child seat for a vehicle, comprising a child seat (10) and a shaft (11) attached to the child seat as seen in Figure 3. A first end of the shaft (11) is disposed at a higher elevation than a second end of the shaft as seen in Figure 3. The shaft is rotatable about an axis of the shaft. The shaft can includes a slit (106) that is configured to accept a seat belt (Col. 6, lines 26-32).

Regarding claim 5, the shaft is configured so that a seat belt inserted into the slit winds around the shaft when the shaft is rotated (Col. 6, lines 17-48).

Regarding claim 8, a drive train (108) is attached to the child seat. The drive train includes a rotatable shaft (111) and a torque limiting device (109). The shaft (111) a slit (106) configured to accept a seat belt (Col 6, lines 22-32). The torque limiting device is configured to prevent torque exerted on the shaft from exceeding a predetermined value (Col. 7, lines 3-18). Regarding claim 9, the shaft is configured so that a seat belt inserted into the slit winds around the shaft when the shaft is rotated (Col. 6, lines 17-48). Regarding claim 12, a knob (107) is used to enable a user to rotate the shaft as

Art Unit: 3636

seen in Figure 6. Regarding claim 13, the torque limiting device (109) can prevent a torque exerted on the knob from being transmitted to the shaft when the torque exerted on the knob exceeds a predetermined value.

Allowable Subject Matter

Claims 2-4, 6, 7, 10, 11, 15-17, 19, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to child seats: US006247208B1, US006390562B1, US006672663B2, US005779319A, US006081976A, US 20020145318A1, US005286090A, US 20040108758A1, US005605375A, US005303979A, US005524965A, US006428100B1, USPN 4858997, USPN 4886315, USPN 4679852, and USPN 5022669.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephanie Harris whose telephone number is 703-305-1838. The examiner can normally be reached on Monday-Friday from 9am to 3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pete Cuomo, can be reached on (703) 308-0827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Art Unit: 3636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SNH

June 27, 2004

Stephanie Harris
Examiner
Art Unit 3636


Peter M. Cuomo
Supervisory Patent Examiner
Technology Center 3600